

AMENDED IN SENATE JUNE 28, 2010

AMENDED IN ASSEMBLY MAY 6, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2667**

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**Introduced by Assembly Member Hill**

February 19, 2010

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An act to amend Section 27363.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2667, as amended, Hill. Vehicles: child passenger restraint systems.

(1) Existing law requires a public or private hospital, clinic, or birthing center, at the time of discharge of a child who is less than 6 years of age or who weighs less than 60 pounds, to provide and discuss information on the current law requiring child passenger restraint systems with the parents or the person to whom the child is released.

This bill would additionally require a public or private hospital, clinic, or birthing center, at the time the child is discharged, to discuss information on where, and at no cost, the child passenger restraint system can be inspected and proper installation instruction can be given, by providing appropriate contact information, including, among other things, the telephone number of the local office of the Department of the California Highway Patrol. Because this bill would expand an existing crime, this bill would impose a state-mandated local program. ~~The bill would also clarify that a hospital is to provide the specified information only one time per child.~~

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares the following:

2 (a) Motor vehicle crashes are the leading cause of death of  
3 children 3 to 14 years of age.

4 (b) Many of these deaths can be prevented through the proper  
5 use of child safety seats.

6 (c) According to the National Highway Traffic Safety  
7 Administration (NHTSA), child safety seats can reduce fatal injury  
8 by 71 percent for infants and by 54 percent for toddlers 1 to 4 years  
9 of age.

10 (d) Unfortunately, according to a recent study, over 90 percent  
11 of parents and caregivers believe their child safety seats are  
12 installed correctly, but NHTSA research shows that seven out of  
13 10 children are improperly restrained, putting them at risk for  
14 serious injury or death in a crash.

15 SEC. 2. Section 27363.5 of the Vehicle Code is amended to  
16 read:

17 27363.5. (a) A public or private hospital, clinic, or birthing  
18 center shall, at the time of the discharge of a child, provide to and  
19 discuss with the parent or person to whom the child is released,  
20 the following:

21 (1) Information on the current law requiring child passenger  
22 restraint systems.

23 (2) Information on where, and at no cost, the child passenger  
24 restraint system can be inspected and proper installation instruction  
25 can be given, by providing appropriate contact information. This  
26 contact information may include, but is not limited to, the  
27 following:

28 (A) Call 1-866-SEAT-CHECK or visit [www.seatcheck.org](http://www.seatcheck.org) to  
29 find a nearby location.

1 (B) The telephone number of the local office of the Department  
2 of the California Highway Patrol.

3 (C) The Internet Web site for the National Highway Traffic  
4 Safety Administration's Child Safety Seat Inspection Station  
5 Locator.

6 (b) Subdivision (a) applies when at least one of the following  
7 conditions is met:

8 (1) The child is less than six years of age.

9 (2) The child weighs less than 60 pounds.

10 (c) A public or private hospital, clinic, or birthing center shall  
11 not be responsible for the failure of the parent or person to whom  
12 the child is released to use a child passenger restraint system.

13 ~~(d) A public or private hospital, clinic, or birthing center shall~~  
14 ~~be responsible for providing the information required in subdivision~~  
15 ~~(a) only one time per child as described in subdivision (b).~~

16 SEC. 3. No reimbursement is required by this act pursuant to  
17 Section 6 of Article XIII B of the California Constitution because  
18 the only costs that may be incurred by a local agency or school  
19 district will be incurred because this act creates a new crime or  
20 infraction, eliminates a crime or infraction, or changes the penalty  
21 for a crime or infraction, within the meaning of Section 17556 of  
22 the Government Code, or changes the definition of a crime within  
23 the meaning of Section 6 of Article XIII B of the California  
24 Constitution.